

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:

LVI INTERMEDIATE HOLDINGS, INC., *et al.*,

Debtors.¹

Chapter 11

Case No. 20-11413 (KBO)

(Jointly Administered)

**NOTICE OF AGENDA OF MATTERS SCHEDULED FOR TELEPHONIC
HEARING ON JUNE 25, 2020 AT 2:30 P.M. (EASTERN TIME)
BEFORE THE HONORABLE KAREN OWENS²**

This hearing will be held telephonically via CourtCall and, in certain circumstances, by video via Zoom. All parties wishing to appear must do so telephonically by contacting CourtCall, LLC at 866-582-6878. Only those parties that will be addressing the Court should appear by video via Zoom in addition to their CourtCall registration.

PLEASE NOTE THAT MICROPHONES ON THE ZOOM MEETING WILL BE MUTED AND THE ONLY AUDIO WILL BE THROUGH COURTCALL.

Topic: LVI Intermediate Holdings, Inc. 20-11413-KBO
Time: June 25, 2020 02:30 PM Eastern Time (US and Canada)

Join ZoomGov Meeting

<https://debuscourts.zoomgov.com/j/1609682175>

Meeting ID: 160 968 2175

Password: 842285

¹ The Debtors in these cases, along with the last four digits of their respective federal taxpayer identification numbers are as follows: LVI Intermediate Holdings, Inc., (7674); Total Vision Institute, LLC (7571); QualSight, LLC (3866); The LASIK Vision Institute, LLC (7564); Cataract Vision Institute, LLC (7697); Healthcare Marketing Services, LLC (9982); Cataract Vision Institute Florida, LLC (3423); TLC Vision Center Holdings, LLC (5400); TLC Vision Centers, LLC (8271); TLC Whitten Laser Eye Associates, LLC (0182); TruVision, LLC (3399); TruVision Contacts, LLC (3399); Laser Eye Surgery, LLC (3448); TLC Laser Eye Centers (Refractive I), LLC (2702); TLC The Laser Center (Pittsburgh) L.L.C. (2881); TLC The Laser Center (Indiana) LLC (8456); TLC The Laser Center (Institute), LLC (0959); and LVI Missouri, LLC (7088). The Debtors' executive headquarters are located at 1555 Palm Beach Lakes Blvd., Suite 600, West Palm Beach, Florida 33401.

² The telephonic hearing will be held before The Honorable Karen B. Owens at the United States Bankruptcy Court for the District of Delaware, 824 North Market Street, 6th Floor, Courtroom No. 3, Wilmington, Delaware 19801. Any person who wishes to appear telephonically at the hearing must contact COURTCALL, LLC at 866-582-6878 to register his/her telephonic appearance in accordance with the Instructions for Telephonic Appearances Effective January 5, 2005, Revised May 11, 2018. Counsel presenting at the hearing via zoom Meeting, <https://debuscourts.zoomgov.com/j/1609682175>, Meeting ID: 160 968 2175, must also participate in CourtCall for audio, in accordance with the instructions set forth in the Notice Regarding Videoconferencing During the Implementation of COVID-19 Court Procedures and Delaware Bankruptcy Court Video Appearance Procedures.

ORDERS ENTERED

1. Debtors' Motion for Entry of Interim and Final Orders Authorizing (A) Certain Relief With Respect to Patient Noticing and (B) Procedures to Protect the Confidentiality of Patient Information as Required By Applicable Privacy Rules (Filed May 29, 2020) [Docket No. 5]

Related Documents:

- (a) Interim Order Authorizing Certain Procedures to Protect the Confidentiality of Patient Information as Required By Applicable Privacy Rules (Entered June 2, 2020) [Docket No. 40]
- (b) Notice of Entry of Interim Order and Final Hearing With Respect to Debtors' Motion for Entry of Interim and Final Orders Authorizing (A) Certain Relief With Respect to Patient Noticing and (B) Procedures to Protect the Confidentiality of Patient Information as Required By Applicable Privacy Rules (Filed June 2, 2020) [Docket No. 45]
- (c) Certification of No Objection Regarding Final Order Authorizing (A) Certain Relief With Respect to Patient Noticing and (B) Procedures to Protect the Confidentiality of Patient Information as Required By Applicable Privacy Rules (Filed June 18, 2020) [Docket No. 129]
- (d) Final Order Authorizing (A) Certain Procedures to Protect the Confidentiality of Patient Information as Required By Applicable Privacy Rules (Entered June 19, 2020) [Docket No. 143]

Objection Deadline: June 16, 2020 at 4:00 p.m. (ET)

Responses Received: None.

Status: The Court entered an Order granting the Motion on a final basis. This matter will not be going forward.

2. Debtors' Motion for Entry of Interim and Final Orders Authorizing Continued (I) Use of Existing Cash Management System, Bank Accounts and Business Forms and Payment of Related Prepetition Obligations, (II) Performance of Intercompany Transactions in the Ordinary Course of Business and (III) Granting a Limited Suspension of Section 345(b) Deposit and Investment Requirements (Filed May 29, 2020) [Docket No. 8]

Related Documents:

- (a) Interim Order Authorizing Continued (I) Use of Existing Cash Management System, Bank Accounts and Business Forms and Payment of Related Prepetition Obligations, (II) Performance of Intercompany Transactions in the Ordinary Course of Business and Grant of Superpriority Administrative Expense Status for Postpetition Intercompany Claims, and Granting a

Limited Suspension of Section 345(b) Deposit and Investment Requirements (Entered June 2, 2020) [Docket No. 44]

- (b) Notice of Entry of Interim Order and Final Hearing With Respect to Debtors' Motion for Entry of Interim and Final Orders Authorizing Continued (I) Use of Existing Cash Management System, Bank Accounts and Business Forms and Payment of Related Prepetition Obligations, (II) Performance of Intercompany Transactions in the Ordinary Course of Business and (III) Granting a Limited Suspension of Section 345(b) Deposit and Investment Requirements (Filed June 2, 2020) [Docket No. 51]
- (c) Certification of Counsel Regarding Proposed Final Order Authorizing Continued (I) Use of Existing Cash Management System, Bank Accounts and Business Forms and Payment of Related Prepetition Obligations, (II) Performance of Intercompany Transactions in the Ordinary Course of Business and (III) Granting a Limited Suspension of Section 345(b) Deposit and Investment Requirements (Filed June 18, 2020) [Docket No. 134]
- (d) Final Order Authorizing Continued (I) Use of Existing Cash Management System, Bank Accounts and Business Forms and Payment of Related Prepetition Obligations, (II) Performance of Intercompany Transactions in the Ordinary Course of Business Grant of Superpriority Administrative Expense Status for Postpetition Intercompany Claims, and (III) Granting a Limited Suspension of Section 345(b) Deposit and Investment Requirements (Entered June 19, 2020) [Docket No. 148]

Objection Deadline: June 16, 2020 at 4:00 p.m. (ET)

Responses Received: None.

Status: The Court entered an Order granting the Motion on a final basis. This matter will not be going forward.

- 3. Debtors' Motion for Entry of Interim and Final Orders Authorizing Debtors to (I) Maintain Existing Insurance Policies and Pay All Insurance Obligations Arising Thereunder, (II) Renew, Extend, Supplement, Change or Enter Into New Insurance Policies and (III) Continue Their Insurance Premium Finance Agreements (Filed May 29, 2020) [Docket No. 10]

Related Documents:

- (a) Interim Order Authorizing Debtors to (I) Maintain Existing Insurance Policies and Pay All Insurance Obligations Arising Thereunder, (II) Renew, Extend, Supplement, Change or Enter Into New Insurance Policies and (III) Continue Their Insurance Premium Finance Agreements (Entered June 2, 2020) [Docket No. 35]

- (b) Notice of Entry of Interim Order and Final Hearing With Respect to Debtors' Motion for Entry of Interim and Final Orders Authorizing Debtors to (I) Maintain Existing Insurance Policies and Pay All Insurance Obligations Arising Thereunder, (II) Renew, Extend, Supplement, Change or Enter Into New Insurance Policies and (III) Continue Their Insurance Premium Finance Agreements (Filed June 2, 2020) [Docket No. 47]
- (c) Notice of Filing of Revised Exhibit C to Debtors' Motion for Entry of Interim and Final Orders Authorizing Debtors to (I) Maintain Existing Insurance Policies and Pay All Insurance Obligations Arising Thereunder, (II) Renew, Extend, Supplement, Change or Enter Into New Insurance Policies and (III) Continue Their Insurance Premium Finance Agreements (Filed June 16, 2020) [Docket No. 119]
- (d) Certification of Counsel Regarding Proposed Final Order Authorizing Debtors to (I) Maintain Existing Insurance Policies and Pay All Insurance Obligations Arising Thereunder, (II) Renew, Extend, Supplement, Change or Enter Into New Insurance Policies and (III) Continue Their Insurance Premium Finance Agreements (Filed June 18, 2020) [Docket No. 130]
- (e) Final Order Authorizing Debtors to (I) Maintain Existing Insurance Policies and Pay All Insurance Obligations Arising Thereunder, (II) Renew, Extend, Supplement, Change or Enter Into New Insurance Policies and (III) Continue Their Insurance Premium Finance Agreements (Entered June 19, 2020) [Docket No. 144]

Objection Deadline: June 16, 2020 at 4:00 p.m. (ET)

Responses Received: None.

Status: The Court entered an Order granting the Motion on a final basis. This matter will not be going forward.

4. Debtors' Motion for Entry of Interim and Final Orders Authorizing Debtors to Pay Certain Prepetition Taxes, Fees and Related Obligations (Filed May 29, 2020) [Docket No. 11]

Related Documents:

- (a) Interim Order Authorizing Debtors to Pay Certain Prepetition Taxes, Fees and Related Obligations (Entered June 2, 2020) [Docket No. 49]
- (b) Notice of Entry of Interim Order and Final Hearing With Respect to Debtors' Motion for Entry of Interim and Final Orders Authorizing Debtors to Pay Certain Prepetition Taxes, Fees and Related Obligations (Filed June 2, 2020) [Docket No. 52]

- (c) Certification of No Objection Regarding Proposed Final Order Authorizing Debtors to Pay Certain Prepetition Taxes, Fees and Related Obligations (Filed June 18, 2020) [Docket No. 131]
- (d) Final Order Authorizing Debtors to Pay Certain Prepetition Taxes, Fees and Related Obligations (Entered June 19, 2020) [Docket No. 145]

Objection Deadline: June 16, 2020 at 4:00 p.m. (ET)

Responses Received: None.

Status: The Court entered an Order granting the Motion on a final basis. This matter will not be going forward.

5. Debtors' Motion for Entry of Interim and Final Orders (I) Approving Debtors' Proposed Form of Adequate Assurance of Payment; (II) Establishing Procedures for Resolving Objections By Utility Companies; and (III) Prohibiting Utility Companies From Altering, Refusing or Discontinuing Service (Filed May 30, 2020) [Docket No. 12]

Related Documents:

- (a) Interim Order (I) Approving Debtors' Proposed Form of Adequate Assurance of Payment; (II) Establishing Procedures for Resolving Objections By Utility Companies; and (III) Prohibiting Utility Companies From Altering, Refusing or Discontinuing Service (Entered June 2, 2020) [Docket No. 36]
- (b) Notice of Entry of Interim Order and Final Hearing With Respect to Debtors' Motion for Entry of Interim and Final Orders (I) Approving Debtors' Proposed Form of Adequate Assurance of Payment; (II) Establishing Procedures for Resolving Objections By Utility Companies; and (III) Prohibiting Utility Companies From Altering, Refusing or Discontinuing Service (Filed June 2, 2020) [Docket No. 48]
- (c) Certification of Counsel Regarding Proposed Final Order (I) Approving Debtors' Proposed Form of Adequate Assurance of Payment; (II) Establishing Procedures for Resolving Objections By Utility Companies; and (III) Prohibiting Utility Companies From Altering, Refusing or Discontinuing Service (Filed June 18, 2020) [Docket No. 133]
- (d) Final Order (I) Approving Debtors' Proposed Form of Adequate Assurance of Payment; (II) Establishing Procedures for Resolving Objections By Utility Companies; and (III) Prohibiting Utility Companies From Altering, Refusing or Discontinuing Service (Entered June 19, 2020) [Docket No. 147]

Objection Deadline: June 16, 2020 at 4:00 p.m. (ET)

Responses Received: None.

Status: The Court entered an Order granting the Motion on a final basis. This matter will not be going forward.

6. Debtors' Motion for Entry of Interim and Final Orders (I) Authorizing Debtors to Maintain and Administer Their Existing Customer Programs and Honor Certain Prepetition Obligations Related Thereto and (II) Granting Related Relief (Filed May 30, 2020) [Docket No. 13]

Related Documents:

- (a) Interim Order (I) Authorizing Debtors to Maintain and Administer Their Existing Customer Programs and Honor Certain Prepetition Obligations Related Thereto and (II) Granting Related Relief (Entered June 2, 2020) [Docket No. 37]
- (b) Notice of Entry of Interim Order and Final Hearing With Respect to Debtors' Motion for Entry of Interim and Final Orders (I) Authorizing Debtors to Maintain and Administer Their Existing Customer Programs and Honor Certain Prepetition Obligations Related Thereto and (II) Granting Related Relief (Filed June 2, 2020) [Docket No. 50]
- (c) Certification of No Objection Regarding Proposed Final Order (I) Authorizing Debtors to Maintain and Administer Their Existing Customer Programs and Honor Certain Prepetition Obligations Related Thereto and (II) Granting Related Relief (Filed June 18, 2020) [Docket No. 132]
- (d) Final Order (I) Authorizing Debtors to Maintain and Administer Their Existing Customer Programs and Honor Certain Prepetition Obligations Related Thereto and (II) Granting Related Relief (Entered June 19, 2020) [Docket No. 146]

Objection Deadline: June 16, 2020 at 4:00 p.m. (ET)

Responses Received: None.

Status: The Court entered an Order granting the Motion on a final basis. This matter will not be going forward.

7. Debtors' Motion for an Order Establishing Procedures for Sales of Certain Miscellaneous Assets Outside the Ordinary Course of Business Free and Clear of All Liens, Claims, Interests and Encumbrances (Filed June 5, 2020) [Docket No. 76]

Related Documents:

- (a) Motion to Shorten Notice and Objection Periods With Respect to Debtors' Motion for an Order Establishing Procedures for Sales of Certain Miscellaneous Assets Outside the Ordinary Course of Business Free and Clear of All Liens, Claims, Interests and Encumbrances (Filed June 5, 2020) [Docket No. 77]
- (b) Order Shortening Notice and Objection Periods With Respect to Debtors' Motion for an Order Establishing Procedures for Sales of Certain Miscellaneous Assets Outside the Ordinary Course of Business Free and Clear of All Liens, Claims, Interests and Encumbrances (Entered June 5, 2020) [Docket No. 80]
- (c) Notice of Hearing on Debtors' Motion for an Order Establishing Procedures for Sales of Certain Miscellaneous Assets Outside the Ordinary Course of Business Free and Clear of All Liens, Claims, Interests and Encumbrances (Filed June 5, 2020) [Docket No. 81]
- (d) Certification of Counsel Regarding Debtors' Motion for an Order Establishing Procedures for Sales of Certain Miscellaneous Assets Outside the Ordinary Course of Business Free and Clear of All Liens, Claims, Interests and Encumbrances (Filed June 11, 2020) [Docket No. 105]
- (e) Order Establishing Procedures for Sales of Certain Miscellaneous Assets Outside the Ordinary Course of Business Free and Clear of All Liens, Claims, Interests and Encumbrances (Entered June 12, 2020) [Docket No. 112]

Objection Deadline: June 11, 2020 at 4:00 p.m. (ET)

Responses Received: None.

Status: A Certification of Counsel, together with a revised proposed Order, was filed with the Court. This matter will not be going forward unless otherwise directed by the Court.

CERTIFICATION OF NO OBJECTION/CERTIFICATION OF COUNSEL

8. Debtors' Motion for Entry of Interim and Final Orders Authorizing Debtors to (I) Pay Prepetition Wages, Employee Expenses, and Other Compensation, (II) Maintain Employee Benefit Programs, and (III) Granting Related Relief (Filed May 29, 2020) [Docket No. 9]

Related Documents:

- (a) Interim Order Authorizing Debtors to (I) Pay Prepetition Wages, Employee Expenses, and Other Compensation, (II) Maintain Employee Benefit Programs, and (III) Granting Related Relief (Entered June 2, 2020) [Docket No. 34]
- (b) Notice of Entry of Interim Order and Final Hearing With Respect to Debtors' Motion for Entry of Interim and Final Orders Authorizing Debtors to (I) Pay Prepetition Wages, Employee Expenses, and Other Compensation, (II) Maintain Employee Benefit Programs, and (III) Granting Related Relief (Filed June 2, 2020) [Docket No. 46]
- (c) Certification of Counsel Regarding Proposed Final Order Authorizing Debtors to (I) Pay Prepetition Wages, Employee Expenses, and Other Compensation, (II) Maintain Employee Benefit Programs, and (III) Granting Related Relief (Filed June 19, 2020) [Docket No. 152]

Objection Deadline: June 16, 2020 at 4:00 p.m. (ET)

Responses Received: Informal comments by Office of the United States Trustee.

Status: A Certification of Counsel, together with a revised proposed order, was filed with the Court. This matter will not be going forward unless otherwise directed by the Court.

9. Debtor's Application for an Order Authorizing the Employment and Retention of Donlin Recano & Company, Inc. as Administrative Advisor *Nunc Pro Tunc* to the Petition Date (Filed June 3, 2020) [Docket No. 56]

Related Documents:

- (a) Certification of No Objection Regarding Debtor's Application for an Order Authorizing the Employment and Retention of Donlin Recano & Company, Inc. as Administrative Advisor *Nunc Pro Tunc* to the Petition Date (Filed June 19, 2020) [Docket No. 153]

Objection Deadline: June 18, 2020 at 4:00 p.m. (ET)

Responses Received: None.

Status: A Certification of No Objection was filed with the Court. This matter will not be going forward unless otherwise directed by the Court.

10. Debtors' Motion for Entry of an Order Pursuant to Section 363 of the Bankruptcy Code Authorizing Debtors to Pay the Fees and Expenses of Saul Ewing Arnstein & Lehr LLP as Counsel to Members of the Debtors' Board of Directors/Managers (Filed June 3, 2020) [Docket No. 57]

Related Documents:

- (a) Certification of No Objection Regarding Debtors' Motion for Entry of an Order Pursuant to Section 363 of the Bankruptcy Code Authorizing Debtors to Pay the Fees and Expenses of Saul Ewing Arnstein & Lehr LLP as Counsel to Members of the Debtors' Board of Directors/Managers (Filed June 19, 2020) [Docket No. 154]

Objection Deadline: June 18, 2020 at 4:00 p.m. (ET)

Responses Received: None.

Status: A Certification of No Objection was filed with the Court. This matter will not be going forward unless otherwise directed by the Court.

11. Debtors' Motion for Order Authorizing the Employment and Payment of Professionals Used in the Ordinary Course of Business (Filed June 3, 2020) [Docket No. 58]

Related Documents:

- (a) Certification of No Objection Regarding Debtors' Motion for Order Authorizing the Employment and Payment of Professionals Used in the Ordinary Course of Business (Filed June 19, 2020) [Docket No. 155]

Objection Deadline: June 18, 2020 at 4:00 p.m. (ET)

Responses Received: None.

Status: A Certification of No Objection was filed with the Court. This matter will not be going forward unless otherwise directed by the Court.

12. Debtors' Motion for Order Establishing Procedures for Interim Compensation and Reimbursement of Expenses of Professionals (Filed June 4, 2020) [Docket No. 59]

Related Documents:

- (a) Certification of Counsel Regarding Debtors' Motion for Order Establishing Procedures for Interim Compensation and Reimbursement of Expenses of Professionals (Filed June 19, 2020) [Docket No. 156]

Objection Deadline: June 18, 2020 at 4:00 p.m. (ET)

Responses Received: None.

Status: A Certification of Counsel, together with a revised proposed order, was filed with the Court. This matter will not be going forward unless otherwise directed by the Court.

13. Debtors' Application for Entry of an Order Authorizing the Retention and Employment of Cole Schotz P.C. as Counsel to the Debtors *Nunc Pro Tunc* to the Petition Date (Filed June 4, 2020) [Docket No. 69]

Related Documents:

- (a) Supplemental Declaration of G. David Dean in Support of Debtors' Application for Entry of an Order Authorizing the Retention and Employment of Cole Schotz P.C. as Counsel for the Debtors *Nunc Pro Tunc* to the Petition Date (Filed June 18, 2020) [Docket No. 126]
- (b) Certification of No Objection Regarding Debtors' Application for Entry of an Order Authorizing the Retention and Employment of Cole Schotz P.C. as Counsel to the Debtors *Nunc Pro Tunc* to the Petition Date (Filed June 19, 2020) [Docket No. 157]

Objection Deadline: June 18, 2020 at 4:00 p.m. (ET)

Responses Received: None.

Status: A Certification of No Objection was filed with the Court. This matter will not be going forward unless otherwise directed by the Court.

14. Debtors' Application for Entry of an Order Authorizing the Retention and Employment of Alvarez & Marsal North America, LLC as Financial Advisors to Debtors *nunc pro tunc* to the Petition Date (Filed June 4, 2020) [Docket No. 71]

Related Documents:

- (a) Supplemental Declaration of Thomas E. Hill in Support of Debtors' Application to Employ and Retain Alvarez & Marsal North America, LLC as Financial Advisors to Debtors and Debtors in Possession Pursuant to Sections 327(a) and 328 of the Bankruptcy Code (Filed June 19, 2020) (Docket No. 141)
- (b) Certification of Counsel Regarding Debtors' Application for Entry of an Order Authorizing the Retention and Employment of Alvarez & Marsal North America, LLC as Financial Advisors to Debtors *nunc pro tunc* to the Petition Date (Filed June 19, 2020) [Docket No. 158]

Objection Deadline: June 18, 2020 at 4:00 p.m. (ET)

Responses Received: Informal comments by Office of the United States Trustee.

Status: A Certification of Counsel, together with a revised proposed order, was filed with the Court. This matter will not be going forward unless otherwise directed by the Court.

15. Debtors' Motion for Entry of an Order Approving Debtors' Key Employee Incentive Plan (Filed June 4, 2020) [Redacted Docket No. 72] [Sealed Docket No. 73]

Related Documents:

- (a) Certification of Counsel Regarding Debtors' Motion for Entry of an Order Approving Debtors' Key Employee Incentive Plan (Filed June 22, 2020) [Docket No. 167]

Objection Deadline: June 18, 2020 at 4:00 p.m. (ET)

On consent of the parties, the Objection Deadline was extended until 4:00 p.m. on June 22, 2020 for the Office of the United States Trustee.

Responses Received: Informal comments by Office of the United States Trustee.

Status: A Certification of Counsel, together with a revised proposed order, was filed with the Court. This matter will not be going forward unless otherwise directed by the Court.

16. Debtors' Application for Entry of an Order (I) Authorizing the Employment and Retention of Raymond James & Associates, Inc. as Investment Banker for the Debtors Effective as of the Petition Date, (II) Waiving Certain Reporting Requirements Pursuant to Local Rule 2016-2, and (III) Granting Related Relief (Filed June 4, 2020) [Docket No. 74]

Related Documents:

- (a) Amended Declaration of Geoffrey Richards in Support of the Debtors' Application for Entry of an Order (I) Authorizing the Employment and Retention of Raymond James & Associates, Inc. as Investment Banker for the Debtors, Effective as of the Petition Date, (II) Waiving Certain Reporting Requirements Pursuant to Local Rule 2016-2, and (III) Granting Related Relief (Filed June 5, 2020) [Docket No. 79]
- (b) Certification of Counsel Regarding Debtors' Application for Entry of an Order (I) Authorizing the Employment and Retention of Raymond James & Associates, Inc. as Investment Banker for the Debtors Effective as of the Petition Date, (II) Waiving Certain Reporting Requirements Pursuant to Local Rule 2016-2, and (III) Granting Related Relief (Filed June 22, 2020) [Docket No. 165]

Objection Deadline: June 18, 2020 at 4:00 p.m. (ET)

On consent of the parties, the Objection Deadline was extended until 4:00 p.m. on June 22, 2020 for the Office of the United States Trustee.

Responses Received: Informal comments by Office of the United States Trustee.

Status: A Certification of Counsel, together with a revised proposed order, was filed with the Court. This matter will not be going forward unless otherwise directed by the Court.

17. Debtors' Amended Omnibus Motion for Entry of an Order (I) Authorizing Rejection of Certain Unexpired Leases *Nunc Pro Tunc* to the Petition Date and (II) Granting Related Relief (Filed June 5, 2020) [Docket No. 75]

Related Documents:

- (a) Debtors' Omnibus Motion for Entry of an Order (I) Authorizing Rejection of Certain Unexpired Leases *Nunc Pro Tunc* to the Petition Date and (II) Granting Related Relief (Filed May 30, 2020) [Docket No. 14]
- (b) Certification of No Objection Regarding Debtors' Amended Omnibus Motion for Entry of an Order (I) Authorizing Rejection of Certain Unexpired Leases *Nunc Pro Tunc* to the Petition Date and (II) Granting Related Relief (Filed June 19, 2020) [Docket No. 163]

Objection Deadline: June 18, 2020 at 4:00 p.m. (ET)

Responses Received: None.

Status: A Certification of No Objection was filed with the Court. This matter will not be going forward unless otherwise directed by the Court.

18. Debtors' Motion for Entry of Order Authorizing the Debtors to File Under Seal Confidential Information Contained in the Motion of Debtors for Entry of an Order Approving the Debtors' Key Employee Incentive Plan (Filed June 9, 2020) [Docket No. 89]

Related Documents:

- (a) Certification of No Objection Regarding Debtors' Motion for Entry of Order Authorizing the Debtors to File Under Seal Confidential Information Contained in the Motion of Debtors for Entry of an Order Approving the Debtors' Key Employee Incentive Plan (Filed June 19, 2020) [Docket No. 159]

Objection Deadline: June 18, 2020 at 4:00 p.m. (ET)

Responses Received: None.

Status: A Certification of No Objection was filed with the Court. This matter will not be going forward unless otherwise directed by the Court.

19. Debtors' Motion to Establish Procedures for the Assertion, Resolution, Allowance and Satisfaction of Claims Arising Under Section 503(b)(9) of the Bankruptcy Code (Filed June 10, 2020) [Docket No. 92]

Related Documents:

- (a) Certification of Counsel Regarding Debtors' Motion to Establish Procedures for the Assertion, Resolution, Allowance and Satisfaction of Claims Arising Under Section 503(b)(9) of the Bankruptcy Code (Filed June 19, 2020) [Docket No. 160]

Objection Deadline: June 18, 2020 at 4:00 p.m. (ET)

Responses Received: Informal comments by Official Committee of Unsecured Creditors

Status: A Certification of Counsel, together with a revised proposed order, was filed with the Court. This matter will not be going forward unless otherwise directed by the Court.

20. Debtors' Motion for Entry of an Order Confirming that the Appointment of a Patient Care Ombudsman Pursuant to Section 333 of the Bankruptcy Code is Not Required (Filed June 10, 2020) [Docket No. 104]

Related Documents:

- (a) Certification of No Objection Regarding Debtors' Motion for Entry of an Order Confirming that the Appointment of a Patient Care Ombudsman Pursuant to Section 333 of the Bankruptcy Code is Not Required (Filed June 19, 2020) [Docket No. 161]

Objection Deadline: June 18, 2020 at 4:00 p.m. (ET)

Responses Received: None.

Status: A Certification of No Objection was filed with the Court. This matter will not be going forward unless otherwise directed by the Court.

21. Motion of Debtors for Order Pursuant to 11 U.S.C. §§ 105(a), 365(a) and 554 Authorizing and Approving Procedures for the Rejection of Executory Contracts and Unexpired Leases (Filed June 11, 2020) [Docket No. 106]

Related Documents:

- (a) Certification of No Objection Regarding Motion of Debtors for Order Pursuant to 11 U.S.C. §§ 105(a), 365(a) and 554 Authorizing and Approving Procedures for the Rejection of Executory Contracts and Unexpired Leases (Filed June 19, 2020) [Docket No. 162]

Objection Deadline: June 18, 2020 at 4:00 p.m. (ET)

Responses Received: None.

Status: A Certification of No Objection was filed with the Court. This matter will not be going forward unless otherwise directed by the Court.

MATTERS GOING FORWARD

22. Debtors' Motion for Entry of Interim and Final Orders Authorizing the Debtors to (A) Use of Cash Collateral, (B) Incur Postpetition Debt, (C) Grant Adequate Protection and Provide Security and Other Related Relief to LBC Credit Partners III, L.P., as Agent, and to the Lenders (Filed May 30, 2020) [Docket No. 15]

Related Documents:

- (a) Order Authorizing Debtors to (A) Use Cash Collateral; (B) Incur Postpetition Debt; and (C) Grant Adequate Protection and Provide Security and Other Relief to LBC Credit Partners III, L.P., as Agent, and the Lenders (Entered June 2, 2020) [Docket No. 54]
- (b) Notice of Entry of Interim Order and Final Hearing With Respect to Debtors' Motion for Entry of Interim and Final Orders Authorizing the Debtors to (A) Use of Cash Collateral, (B) Incur Postpetition Debt, (C) Grant Adequate Protection and Provide Security and Other Related Relief to LBC Credit Partners III, L.P., as Agent, and to the Lenders (Filed June 2, 2020) [Docket No. 55]
- (c) Notice of Filing of Revised Final Order Authorizing the Debtors to (A) Use of Cash Collateral, (B) Incur Postpetition Debt, (C) Grant Adequate Protection and Provide Security and Other Related Relief to LBC Credit Partners III, L.P., as Agent, and to the Lenders (Filed June 23, 2020) [Docket No. 169]

Objection Deadline: June 16, 2020 at 4:00 p.m. (ET)

On consent of the parties, the Objection Deadline was extended until 4:00 p.m. on June 19, 2020 for the Official Committee of Unsecured Creditors.

Responses Received: Informal comments by Regions Bank, the Official Committee of Unsecured Creditors and DIP Agent.

- (a) The County of Williamson, Texas' Objection to the Order Authorizing Debtors to (A) Use Cash Collateral; (B) Incur Postpetition Debt; and (C) Grant Adequate Protection and Provide Security and Other Relief to LBC Credit Partners III, L.P., as Agent, and the Lenders [Rel Doc 54] (Filed June 16, 2020) [Docket No. 117]
- (b) Withdrawal of the County of Williamson, Texas' Objection to the Order Authorizing Debtors to (A) Use Cash Collateral; (B) Incur Postpetition Debt; and (C) Grant Adequate Protection and Provide Security and Other Relief to LBC Credit Partners III, L.P., as Agent, and the Lenders (Filed June 22, 2020) [Docket No. 166]

Status: This matter will be going forward on a consensual basis based on the revisions made to the order.

23. Debtors' Motion for Entry of Orders (I)(A) Approving Bid Procedures Relating to the Sale of All or Substantially All of the Assets of the Debtors, (B) Establishing Procedures in Connection With the Assumption and Assignment of Certain Executory Contracts and Unexpired Leases, (C) Approving Notice Procedures, and (D) Granting Related Relief; and (II)(A) Approving Sale of Debtors' Assets Free and Clear of Liens, Claims, Interests and Encumbrances, (B) Authorizing Assumption and Assignment of Unexpired Leases and Executory Contracts and (C) Granting Related Relief (Filed June 4, 2020) [Docket No. 65]

Related Documents:

- (a) Amended Notice of Debtors' Motion for Entry of Orders (I)(A) Approving Bid Procedures Relating to the Sale of All or Substantially All of the Assets of the Debtors, (B) Establishing Procedures in Connection With the Assumption and Assignment of Certain Executory Contracts and Unexpired Leases, (C) Approving Notice Procedures, and (D) Granting Related Relief; and (II)(A) Approving Sale of Debtors' Assets Free and Clear of Liens, Claims, Interests and Encumbrances, (B) Authorizing Assumption and Assignment of Unexpired Leases and Executory Contracts and (C) Granting Related Relief (Filed June 4, 2020) [Docket No. 70]
- (b) Notice of Filing of Proposed Order (A) Approving Bid Procedures Relating to the Sale of All or Substantially All of the Assets of the Debtors, (B) Establishing Procedures in Connection With the Assumption and Assignment of Certain Executory Contracts and

Unexpired Leases, (C) Approving Notice Procedures, and (D) Granting Related Relief (Filed June 22, 2020) [Docket No. 168]

Objection Deadline: June 18, 2020 at 4:00 p.m. (ET)

On consent of the parties, the Objection Deadline was extended until 4:00 p.m. on June 19, 2020 for the Official Committee of Unsecured Creditors and until 4:00 p.m. on June 22, 2020 for the Office of the United States Trustee.

Responses Received: Informal comments from the Official Committee of Unsecured Creditors and DIP Agent.

- (a) The County of Williamson, Texas' Response to Debtors' Motion for Entry of Orders (I)(A) Approving Bid Procedures Relating to the Sale of All or Substantially All of the Assets of the Debtors, (B) Establishing Procedures in Connection With the Assumption and Assignment of Certain Executory Contracts and Unexpired Leases, (C) Approving Notice Procedures, and (D) Granting Related Relief; and (II)(A) Approving Sale of Debtors' Assets Free and Clear of Liens, Claims, Interests, and Encumbrances, (B) Authorizing Assumption and Assignment of Unexpired Leases and Executory Contracts and (C) Granting Related Relief [Related Dkt. No. 65] (Filed June 18, 2020) [Docket No. 128]
- (b) Limited Objection of the United States Trustee to Debtors' Motion to Establish Bid Procedures (D.I. 65, 70) (Filed June 21, 2020) [Docket No. 164]

Status: This matter will be going forward on a consensual basis based on the revisions made to the order.

24. Motion of Joseph Berrios for an Order Granting Relief From the Automatic Stay Pursuant to 11 U.S.C. § 362(d) (Filed June 9, 2020) [Docket No. 87]

Objection Deadline: June 18, 2020 at 4:00 p.m. (ET)

On consent of the parties, the Objection Deadline was extended until 4:00 p.m. on June 23, 2020 for the Debtors.

Responses Received:

- (a) Debtors' Objection to the Motion of Joseph Berrios for an Order Granting Relief From the Automatic Stay Pursuant to 11 U.S.C. § 362(d) (Filed June 23, 2020) [Docket No. 170]

Status: Counsel for Mr. Berrios intend to present testimony from Stuart F. Cohen, Esq. in support of the Motion for Relief from Automatic Stay. Counsel for Mr. Berrios that they reserve the right to call Mr. Cohen via live testimony. The Debtors intend to present testimony from Lisa Melamed, Chief Executive Officer and President, through declaration. The Debtors reserve

the right to supplement Ms. Melamed's direct declaration testimony with additional live direct or proffer. This matter will be going forward.

Dated: June 23, 2020
Wilmington, Delaware

COLE SCHOTZ P.C.

/s/ G. David Dean

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Debtors-in-Possession*